

Minutes of the Cabinet

15 August 2023

-: Present :-

Councillor David Thomas (Chairman)

Councillors Bye, Chris Lewis, Tranter and Tyerman

(Also in attendance: Councillors Billings, Brook (virtual), Carter (virtual), Steve Darling, Fox, Barbara Lewis (virtual), Long, Spacagna, Stevens (virtual), Jacqueline Thomas (virtual) and Twelves (virtual))

14. Minutes

The Minutes of the meeting of the Cabinet held on 11 July 2023 were confirmed as a correct record and signed by the Chairman.

15. Matters for Consideration

The Cabinet considered the following matters, full details of which (including the Cabinet's decisions and recommendations to Council) are set out in the Record of Decisions appended to these Minutes.

16. English Riviera Airshow

17. Corporate Parenting Strategy 2022-25

18. Fostering Annual Report 2022/23

19. Licensing Act 2003 - Draft Cumulative Impact Assessment 2024 - 2027

20. Pest Control Award of Contract

21. Cyber Security - Renewal of 24-Hour Cyber Security Operations Centre Monitoring Contract

Chairman/woman

Record of Decisions

English Riviera Air Show

Decision Taker

Cabinet on 15 August 2023.

Decision

That:

- 1) Torbay Council will deliver, with partners, the English Riviera Airshow in 2024;
- 2) The 2024 English Riviera Airshow will include flight displays over 2 days (subject to a viable business plan and sufficient fundraising);
- 3) Cabinet delegates responsibility for the development and approval of the business plan by the end of September 2023, taking into account the recommendations of the Overview and Scrutiny Board, to the Divisional Director for Economy, Environment, and Infrastructure in consultation with Cabinet Member for Place Services and Economic Growth and Deputy Leader of the Council and Director of Finance; and
- 4) Torbay Council contributes a maximum of £100,000 toward the English Riviera Airshow 2024 as match funding to contributions from public donations and sponsorship and the Director of Finance be requested to include the funding in the draft budget proposals for 2024/2025.

Reason for the Decision

The Cabinet was required to respond to the findings of the spotlight review undertaken by the Overview and Scrutiny Board.

Implementation

This decision will come into force and may be implemented on 29 August 2023 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The Cabinet received the English Riviera Airshow Spotlight Review – Report of the Overview and Scrutiny Board. The Overview and Scrutiny Board undertook a spotlight review into the future of the English Riviera Airshow and examined the background report and supporting documents (full details of which can be found at: <https://www.torbay.gov.uk/DemocraticServices/ieListDocuments.aspx?CId=218&MId=25482&Ver=4>).

The Overview and Scrutiny Board also heard from a number of stakeholders who were fully in support of the continuance of the English Riviera Airshow and recognised the importance to the local economy as well as the social value and health and wellbeing benefits to local residents as well as visitors.

The Overview and Scrutiny Board made a number of recommendations and in accordance with section D7 of Standing Orders in relation to Overview and Scrutiny as set out in the Constitution, the Cabinet has responded to the recommendations. At the meeting of the Cabinet, Councillor Chris

Lewis proposed and Councillor David Thomas seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

The Cabinet were aware that the Overview and Scrutiny Board were presented with a number of options which were discussed at length by the Overview and Scrutiny Board namely:

- Option 1: Torbay Council continues to own and deliver the English Riviera Airshow.
- Option 2: Facilitate the provision of the Air Show by another organisation (e.g. not for profit).
- Option 3: Removing the Airshow from the Council’s delivery plans and redirecting financial support into other (new) events or attractions across the Torbay event calendar.
- Option 4: Remove the Airshow from the Council’s delivery plans with no plans to redirect funding.

Is this a Key Decision?

Yes

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

18 August 2023

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Corporate Parenting Strategy 2022-25

Decision Taker

Cabinet on 15 August 2023.

Decision

That Cabinet recommends to Council:

That the Corporate Parenting Strategy 2022-25 be approved.

Reason for the Decision

The Children and Social Work Act 2017, set out the responsibility for local authorities in respect of their corporate parenting duties. In February 2019, the Department for Education published Statutory Guidance for local authorities and outlined the key principles of Corporate Parenting. In addition, under the Children Act 2004, it was highlighted that local authorities have a duty to promote co-operation between their relevant partners and the Act also highlights that corporate parenting was a task which should be shared Council-wide and across the partnership.

Implementation

The recommendation of the Cabinet will be considered at the Council meeting on 20 September 2023.

Information

As outlined within the Corporate Parenting Strategy, the Council want their cared for and care experienced young people to be safe, happy and healthy, in order that they can reach their full potential, and as corporate parents, the Council wished to give it's cared for and care experienced children and young people the access to all of the opportunities that good parents afford their children. The Corporate Parenting Strategy outlines how the local authority and the partnership can achieve this vision.

At the meeting, Councillor Bye proposed and Councillor Chris Lewis seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

There were no alternative options considered.

Is this a Key Decision?

Yes

Does the call-in procedure apply?

No

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

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Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Fostering Annual Report

Decision Taker

Cabinet on 15 August 2023.

Decision

That the Fostering Annual Report 2022-23, as set out in Appendix 1 to the submitted report, be approved to enable it to be published in accordance with Council's requirements.

Reason for the Decision

It is a statutory requirement established by the National Minimum Standards for Fostering for each Local Authority to produce and publish an Annual Report.

Implementation

This decision will come into force and may be implemented on 29 August 2023 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The Fostering Annual Report set out Torbay's vision for the Fostering Service, its core principles, its key aims, main priorities and actions, the role of the Fostering Service and its various functions, the Fostering Service organisational structure, recruitment performance information, an outline of the fostering recruitment and marketing strategy and campaign, improvements in terms of foster carer support and retention, information relating to number of initial enquires received in the period of the 1 April 2022 to the 31 March 2023 and the next steps for the service.

At the meeting, Councillor Bye proposed and Councillor Chris Lewis seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

There were no alternative options considered.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

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Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Licensing Act 2003 - Draft Cumulative Impact Assessment 2024 - 2027

Decision Taker

Cabinet on 15 August 2023.

Decision

That the draft Licensing Act 2003 – Cumulative Impact Assessment be launched for a six-week consultation period.

Reason for the Decision

To meet a statutory obligation as prescribed in section 5a of the Licensing Act 2003.

Implementation

This decision will be implemented immediately.

Information

In accordance with section 5A of the Licensing Act 2003, the Council is required, every 3 years, to review, consult and republish its Cumulative Impact Assessment. The current Cumulative Impact Assessment was published on 7 January 2021 and therefore is required to be consulted on.

A Cumulative Impact Assessment sets out that the licensing authority considers the number of premises licences and club premises certificates in one or more parts of its area is such that it is likely that it would be inconsistent with the authority's duty under section 4(1) to grant any further relevant authorisations in respect of premises in the designated areas. A cumulative impact assessment provides the evidence for the authority's opinion.

At the meeting, Councillor Tranter proposed and Councillor Chris Lewis seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

A review of a Cumulative Impact Assessment is a statutory requirement so there was no other option but to review the Cumulative Impact Assessment. There was the option to withdraw the Cumulative Impact Assessment areas altogether, however based on current evidence this option was discounted.

Is this a Key Decision?

No

Does the call-in procedure apply?

No

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

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Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Pest Control Contract Award

Decision Taker

Cabinet on 15 August 2023.

Decision

That the Pest Control Contract be awarded to the preferred bidder as set out in Exempt Appendix 1 to the submitted report.

Reason for the Decision

Under the Prevention of Damage by Pests Act 1949, Local Authorities are required to take such steps as may be necessary to ensure that their district is kept free from rats and mice. A failure to award the contract to the successful bidder, would result in a substantial delay in the contract start date.

Implementation

This decision will come into force and may be implemented on 29 August 2023 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

Pest Control services had been put out to tender in order to provide a robust and reliable Pest Control Service on land and property assets owned by Torbay Council and held by its wholly owned arms length companies, within the boundary of the Council's area of jurisdiction. The appointed Contractor was required by Torbay Council to address rat problems and where appropriate, mice on Council owned land and property assets.

At the meeting Councillor Tyerman proposed and Councillor Tranter seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

An alternative option would have been to 'do nothing' this option was discounted as it would have left Torbay Council's land and property assets, any held by its wholly owned arms length companies, within the boundary of the Council's area of jurisdiction, open to infestation and environmental health risks.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

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18 August 2023

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Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Cyber Security - Renewal of 24-Hour Cyber Security Operations Centre Monitoring Contract

Decision Taker

Cabinet on 15 August 2023.

Decision

That the preferred bidder, sought from the KCS Framework, be awarded the contract for the 24-Hour Cyber Security Operations Centre Monitoring service for a 3 year term as set out in exempt Appendix 1 to the submitted report.

Reason for the Decision

Having 24-hour monitoring considerably reduces the risk of cyber attack. Renewal of the service reduces the risk of Cyber Attack which could cripple the Council in terms of service delivery or risk its confidential data being leaked to the Dark Web.

Implementation

The decision in respect of the Cyber Security - Renewal of 24-Hour Cyber Security Operations Centre Monitoring Contract will come into force immediately as the decision maker has decided that any delay likely to be caused by the call-in process would prejudice the Council's interest. The Overview and Scrutiny Co-ordinator was consulted on 8 August 2023.

Information

Following the approval in 2022 of the Endpoint Detection and Response and 24 Cyber Security Monitoring by a Security Operations Centre (SOC), the SOC has proven to be invaluable and has directly helped prevent a number of potentially catastrophic malware attacks.

Having 24-hour monitoring considerably reduces the risk of cyber attack. Cyber attacks typically take place in the middle of the night or outside core working hours. Awarding the contract to the preferred supplier is therefore critical to protecting IT infrastructure, vital delivery service and confidential data.

At the meeting, Councillor Tyerman proposed and Councillor David Thomas seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

The alternative option was to do nothing, a full appraisal of the options was set out in the submitted report.

Is this a Key Decision?

No

Does the call-in procedure apply?

No

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

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